

Remarks

The Office Action dated October 13, 2003, and made final, and Advisory Action dated 12/17/03 have been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 1-5 and 7-21 are pending in this application. Claims 1-21 stand rejected. Claim 6 has been canceled.

The rejection of Claims 1-21 under 35 U.S.C. § 102(e) as being anticipated by Nam (US 6,190,712) is respectfully traversed.

Nam describes a kimchi jar that includes a body and a door. The door includes a door handle, a manipulating unit, and a control panel that includes a display unit. Nam does not describe nor suggest how the control panel is mounted in the door.

Claim 1 of the present application recites an outer door panel for an appliance door assembly "comprising: . . . an outer surface extending from said frame and bowed between said lateral sides; and a recessed control mounting surface extending inwardly from said outer surface between said lateral sides, said recessed control mounting surface disposed at an angle with respect to said longitudinal axis."

Nam does not describe nor suggest an outer door panel as recited in Claim 1. Particularly, Nam does not describe nor suggest a door panel that includes a recessed control mounting surface extending inwardly from the outer surface between the lateral sides with the recessed control mounting surface disposed at an angle with respect to the longitudinal axis of the door panel. Specifically, the Office Action, at page 2, admits that a recessed inwardly spaced and shielded control mounting surface is not specifically disclosed or shown by Nam. As is well

known, to anticipate a claim, a single source must contain all of the elements of the claim and missing elements may not be supplied by the knowledge of one skilled in the art or the disclosure of another reference. Therefore, because Nam admittedly does not disclose or show a recessed control mounting surface extending inwardly from the outer surface, Claim 1 is submitted to be patentable over Nam.

Claim 6 has been canceled.

Claims 2-5 and 7 depend from independent Claim 1. When the recitations of dependent Claims 2-5 and 7 are considered in combination with the recitations of Claim 1, Applicants respectfully submit that dependent Claims 2-5 and 7 likewise are patentable over Nam.

Claim 8 of the present application recites an outer door panel for a dishwasher "comprising: . . . a control panel mounting surface within said frame and surrounded by said frame outer surface, said control panel mounting surface inclined with respect to said longitudinal axis, such that said control panel mounting surface is mostly shielded by said outer surface."

Nam does not describe nor suggest an outer door panel for a dishwasher as recited in Claim 8. Particularly, Nam does not describe nor suggest an outer door panel that includes a control panel mounting surface within the frame and surrounded by the outer surface and that is inclined with respect to the longitudinal axis such that the control panel mounting surface is mostly shielded by the outer surface. Specifically, the Office Action, at page 2, admits that a recessed inwardly spaced and shielded control mounting surface is not specifically disclosed or shown by Nam. Therefore, because Nam admittedly does not disclose or show a control panel mounting surface within the frame and surrounded by the outer surface and that is inclined with

respect to the longitudinal axis such that the control panel mounting surface is mostly shielded by the outer surface, Claim 8 is submitted to be patentable over Nam.

Claims 9-13 depend from independent Claim 8. When the recitations of dependent Claims 9-13 are considered in combination with the recitations of Claim 8, Applicants respectfully submit that dependent Claims 9-13 likewise are patentable over Nam.

Claim 14 of the present application recites a dishwasher door assembly that includes an outer door panel "comprising an outer door panel having a longitudinal axis and comprising opposite lateral sides and a top edge, an outer surface extending between said lateral sides and said top edge, said outer surface surrounding a recessed control surface disposed beneath said top edge of said outer panel, such that said recessed control surface is mostly shielded by said top edge, said recessed control surface disposed at an angle with respect to said longitudinal axis".

Nam does not describe nor suggest a dishwasher door assembly as recited in Claim 14. Particularly, Nam does not describe nor suggest an outer door panel that includes an outer surface surrounding a recessed control surface disposed beneath the top edge of the outer panel such that the recessed control surface is mostly shielded by the top edge and the recessed control surface is disposed at an angle with respect to the longitudinal axis. Specifically, the Office Action, at page 2, admits that a recessed inwardly spaced and shielded control mounting surface is not specifically disclosed or shown by Nam. Therefore, because Nam admittedly does not disclose or show an outer door panel that includes an outer surface surrounding a recessed control surface disposed beneath the top edge of the outer panel such that the recessed control surface is mostly shielded by the top edge and the recessed control surface is disposed at an angle with respect to the longitudinal axis, Claim 14 is submitted to be patentable over Nam.

Claims 15 and 16 depend from independent Claim 14. When the recitations of dependent Claims 15 and 16 are considered in combination with the recitations of Claim 14, Applicants respectfully submit that dependent Claims 15 and 16 likewise are patentable over Nam.

Claim 17 of the present application recites a dishwasher door assembly "comprising an outer door panel comprising a longitudinal axis, a bowed outer surface and a recessed control surface shielded by said outer surface, said recessed control surface disposed at an angle with respect to said longitudinal axis".

Nam does not describe nor suggest a dishwasher door assembly as recited in Claim 17. Particularly, Nam does not describe nor suggest an outer door panel that includes a bowed outer surface and a recessed control surface shielded by the outer surface with the recessed control surface disposed at an angle with respect to the longitudinal axis. Specifically, the Office Action, at page 2, admits that a recessed inwardly spaced and shielded control mounting surface is not specifically disclosed or shown by Nam. Therefore, because Nam admittedly does not disclose or show an outer door panel that includes a bowed outer surface and a recessed control surface shielded by the outer surface with the recessed control surface disposed at an angle with respect to the longitudinal axis, Claim 17 is submitted to be patentable over Nam.

Claims 18-21 depend from independent Claim 17. When the recitations of dependent Claims 18-21 are considered in combination with the recitations of Claim 17, Applicants respectfully submit that dependent Claims 18-21 likewise are patentable over Nam.

For the reasons set forth above, Applicants respectfully request that the Section 102(e) rejection of Claims 1-21 be withdrawn.

The rejection of Claims 1-21 under 35 U.S.C. § 103(a) as being unpatentable over Nam (US 6,190,712) in view of Kraines et al. (US 5,537,300) is respectfully traversed.

Kraines et al. describes an illuminated control panel for an audio device used in an automobile. The control panel is a detachable control panel for an audio device, such as an AM-FM receiver and a media player found in automobiles, trucks, and other vehicles. The control panel is attachable and removable relative to a chassis which is fixed in an automobile dashboard. One end of the control panel is inserted into the chassis, and then, the other end is inserted into the chassis until a tab is engaged, thereby locking the control panel in place in the chassis. A push button is depressed to disengage a detent in the chassis to release the control panel from the chassis. Kraines et al. do not describe nor suggest an appliance door panel that includes a recessed control mounting surface extending inwardly from the outer surface.

Applicants respectfully submit that the Section 103 rejection of the presently pending claims is not a proper rejection. As is well established, obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching, suggestions or incentive supporting the combination. In addition, it is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the prior art so that the claimed invention is rendered obvious. Specifically, one cannot use hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention. Further, it is impermissible to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art.

Applicants submit that it would not be obvious to modify the kimchi jar of Nam with the removable control panel arrangement of Kraines et al. because there is no motivation to combine the teachings of Kraines et al. with the teachings of Nam. Particularly, Nam and Kraines et al. are non-analogous art and Applicants submit that it is not obvious to combine non-analogous art. Specifically, Nam is directed to a cold storage method of a kimchi jar and Kraines et al. is directed to a removable control panel for a radio in an automobile.

For at least these reasons, it is respectfully submitted that the cited combination is an impermissible hindsight reconstruction of the invention using the present specification as a template to piece together the limitations of the claims from isolated references. There is no evidence that one of ordinary skill in the art at the time the invention was made would have consulted the art of automobile radios for potential solutions to cold storage methods of kimchi jars or the structure of kimchi jars.

Further, Nam and Kraines et al., alone or in combination, do not describe nor suggest an outer door panel for an appliance door assembly as recited in Claim 1. Particularly, Nam and Kraines et al., alone or in combination, do not describe nor suggest a door panel that includes a recessed control mounting surface extending inwardly from the outer surface between the lateral sides with the recessed control mounting surface disposed at an angle with respect to the longitudinal axis of the door panel. Rather, Nam is silent on any attachment arrangement of the control panel and the kimchi jar door to which the Office Action, at page 2, has admitted. The Office Action, at page 2, suggests that even though a recessed control mounting surface is not disclosed or shown, such a surface would be necessary. Applicants disagree with this suggestion because the Nam control panel does not need to be mounted on a recessed mounting surface.

The Nam control panel can be mounted in a cut-out in the door panel or on top of the door panel. Further, there is no showing or suggestion that the Nam control panel is mounted on a recessed control mounting surface that is disposed at an angle with respect to the longitudinal axis of the outer door panel. Applicants respectfully submit that because the Nam control panel is shown flush to the door panel or on top of the door panel (see Figure 1), any Nam supposed mounting surface cannot be disposed at an angle to the longitudinal axis of the door panel.

Kraines et al. do not describe nor suggest a door outer panel with a recessed control mounting surface extending inwardly from the outer surface with the recessed control mounting surface disposed at an angle with respect to the longitudinal axis of the door panel. Rather Kraines et al. describe an audio device chassis that includes an opening for receiving a removable control panel. The opening is not disposed at an angle to the longitudinal axis of the chassis. Applicants respectfully submit that the chassis of Kraines et al. is not an outer door panel having a recessed control mounting surface extending inwardly from the outer surface with the recessed control mounting surface disposed at an angle with respect to the longitudinal axis of the door panel. Accordingly, independent Claim 1 is submitted to be patentable over Nam and Kraines et al., alone or in combination.

Claim 6 has been canceled.

Claims 2-5 and 7 depend from independent Claim 1. When the recitations of dependent Claims 2-5 and 7 are considered in combination with the recitations of Claim 1, Applicants respectfully submit that dependent Claims 2-5 and 7 likewise are patentable over Nam and Kraines et al., alone or in combination.

Nam and Kraines et al., alone or in combination, do not describe nor suggest an outer door panel for a dishwasher as recited in Claim 8. Particularly, Nam and Kraines et al., alone or in combination, do not describe nor suggest an outer door panel that includes a control panel mounting surface within the frame and surrounded by the outer surface and that is inclined with respect to the longitudinal axis such that the control panel mounting surface is mostly shielded by the outer surface. Rather, Nam is silent on any attachment arrangement of the control panel and the kimchi jar door to which the Office Action, at page 2, has admitted. Further, there is no showing or suggestion that the Nam control panel is mounted on a recessed control mounting surface that is inclined with respect to the longitudinal axis such that the control panel mounting surface is mostly shielded by the outer surface. Applicants respectfully submit that because the Nam control panel is shown flush to the door panel or on top of the door panel (see Figure 1), any Nam supposed mounting surface cannot be inclined with respect to the longitudinal axis. Also, the Nam control panel is not shielded by the outer surface of the door because the Nam control panel is shown in Figure 1 to be mounted either flush with the door panel or on top of the door panel.

Kraines et al. describe an audio device chassis that includes an opening for receiving a removable control panel. The opening is not inclined with respect to the longitudinal axis, and the control panel is not inclined with respect to the longitudinal axis. The Kraines et al. control panel is mounted flush with the chassis. Accordingly, independent Claim 8 is submitted to be patentable over Nam and Kraines et al., alone or in combination.

Claims 9-13 depend from independent Claim 8. When the recitations of dependent Claims 9-13 are considered in combination with the recitations of Claim 8, Applicants respectfully submit that dependent Claims 9-13 likewise are patentable over Nam.

Nam and Kraines et al., alone or in combination, do not describe nor suggest a dishwasher door assembly as recited in Claim 14. Particularly, Nam and Kraines et al., alone or in combination, do not describe nor suggest an outer door panel that includes an outer surface surrounding a recessed control surface disposed beneath the top edge of the outer panel such that the recessed control surface is mostly shielded by the top edge and the recessed control surface is disposed at an angle with respect to the longitudinal axis. Rather, Nam is silent on any attachment arrangement of the control panel and the kimchi jar door to which the Office Action, at page 2, has admitted. Further, there is no showing or suggestion that the Nam outer door panel includes an outer surface surrounding a recessed control surface disposed beneath the top edge of the outer panel such that the recessed control surface is mostly shielded by the top edge and the recessed control surface is disposed at an angle with respect to the longitudinal axis. Applicants respectfully submit that because the Nam control panel is shown flush to the door panel or on top of the door panel (see Figure 1), any Nam supposed mounting surface cannot be disposed at an angle with respect to the longitudinal axis. Also, the Nam control panel is not shielded by the outer surface of the door because the Nam control panel is shown in Figure 1 to be mounted either flush with the door panel or on top of the door panel.

Kraines et al. describe an audio device chassis that includes an opening for receiving a removable control panel. The opening is not inclined with respect to the longitudinal axis, and the control panel is not disposed at an angle with respect to the longitudinal axis. The Kraines et

al. control panel is mounted flush with the chassis. Accordingly, independent Claim 14 is submitted to be patentable over Nam and Kraines et al., alone or in combination.

Claims 15 and 16 depend from independent Claim 14. When the recitations of dependent Claims 15 and 16 are considered in combination with the recitations of Claim 14, Applicants respectfully submit that dependent Claims 15 and 16 likewise are patentable over Nam and Kraines et al., alone or in combination.

Nam and Kraines et al., alone or in combination, do not describe nor suggest a dishwasher door assembly as recited in Claim 17. Particularly, Nam and Kraines et al., alone or in combination, do not describe nor suggest an outer door panel that includes a bowed outer surface and a recessed control surface shielded by the outer surface with the recessed control surface disposed at an angle with respect to the longitudinal axis. Rather, Nam is silent on any attachment arrangement of the control panel and the kimchi jar door to which the Office Action, at page 2, has admitted. Further, there is no showing or suggestion that the Nam door panel includes a recessed control surface shielded by the outer surface with the recessed control surface disposed at an angle with respect to the longitudinal axis. Applicants respectfully submit that because the Nam control panel is shown flush to the door panel or on top of the door panel (see Figure 1), any Nam supposed mounting surface cannot be disposed at an angle with respect to the longitudinal axis. Also, the Nam control panel is not shielded by the outer surface of the door because the Nam control panel is shown in Figure 1 to be mounted either flush with the door panel or on top of the door panel.

Kraines et al. describe an audio device chassis that includes an opening for receiving a removable control panel. The opening is not inclined with respect to the longitudinal axis, and

the control panel is not disposed at an angle with respect to the longitudinal axis. The Kraines et al. control panel is mounted flush with the chassis. Accordingly, independent Claim 17 is submitted to be patentable over Nam and Kraines et al., alone or in combination.

Claims 18-21 depend from independent Claim 17. When the recitations of dependent Claims 18-21 are considered in combination with the recitations of Claim 17, Applicants respectfully submit that dependent Claims 18-21 likewise are patentable over Nam and Kraines et al., alone or in combination.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Favorable action is respectfully solicited.

Respectfully submitted,



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